

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

MARTHA A. DOWLING	:	CASE NO: C2 05 0098
	:	
Plaintiff,	:	JUDGE ALGENON L. MARBLEY
	:	
v.	:	MAGISTRATE NORH McCANN KING
	:	
LITTON LOAN SERVICING LP	:	
	:	
Defendant.	:	

RULE 26(f) REPORT OF PARTIES

1. Pursuant to Fed. R. Civ. P. 26(f), following counsel for the parties conferred electronically on July 13, 2005:

Gary M. Smith, trial counsel for plaintiff

Pamela S. Petas, trial counsel for defendant

2. The parties:

 x do not unanimously consent to the jurisdiction of the United States Magistrate Judge pursuant to 28 U.S.C. §636(c).

3. The parties:

 x waive the exchange of pre-discovery disclosures under Rule 26(a)(1).

4. Jurisdiction and Venue

a. Describe any contested issues relating to: (1) subject matter jurisdiction, (2) personal jurisdiction and/or (3) venue:

N/A

- b. Describe the discovery, if any, necessary to the resolution of issues relating to jurisdiction and venue:

N/A

- c. Recommended date for filing motions addressing jurisdiction and venue:

N/A

5. Recommended cut-off date for filing any motion to amend the pleadings and/or to add additional parties:

Ninety days after the preliminary pre-trial

6. Recommended discovery plan:

- a. Describe the subjects on which discovery is to be sought and the nature and extent of discovery that each party will need:

Plaintiff's merit discovery will utilize an initial set of interrogatories and requests for production; a second, follow-up set of initial discovery is possible if needed. Thereafter, plaintiff contemplates the deposition of defendant, likely certain employees of defendant identified through the written discovery, and one or two further depositions of defendant's principle and the prior servicer.

Defendant will serve a set of interrogatories and requests for production of documents to plaintiff, Martha Dowling, and a second set of written discovery if needed. Defendant may depose plaintiff, Martha Dowling, and a representative of the prior loan servicer, Select Portfolio Servicing, Inc.

- b. What changes should be made, if any, in the limitations on discovery imposed under the Federal Rules of Civil Procedure or the local rules of this Court, including the limitation on interrogatories and the limitation of ten depositions, each lasting no more than one day consisting of seven (7) hours?

None contemplated at this time.

- c. Identify the discovery, if any, that can be deferred pending settlement discussions and/or resolution of potentially dispositive motions:

Deposition discovery pending September 2005 settlement week

- d. Describe the areas in which expert testimony is expected and indicate whether each expert will be specially retained within the meaning of F. R. Civ. P. 26(a)(2).

None contemplated at this time.

- e. Recommended date for making primary expert designations:

None contemplated at this time.

- f. Recommended date for making rebuttal expert designations:

None contemplated at this time.

- g. Recommended discovery cut-off date:

Plaintiff recommends March 15, 2006.

Defendant recommends December 15, 2005.

7. Recommended dispositive motion date: April 15, 2006

8. Has a settlement demand been made? Requested, but not yet made

Date by which a settlement demand can be made:

Within seven days of preliminary pretrial

9. The earliest Settlement Week referral reasonably likely to be productive is the

September 2005 Settlement Week.

10. Other matters for the attention of the Court:

None from plaintiff.

Defendant states the plaintiff filed a similar action pending in this Court entitled *Martha A. Dowling, v. Select Portfolio Servicing, Inc. fka Fairbanks Capital Corp. Case No. C2 05 0049*. That action involves the same mortgage loan that is the subject of this action.

Signatures:

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